

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Bruce A. Beutler *et al.*

Serial No.: 09/396,985

Filed: September 15, 1999

For: LPS-RESPONSE GENE COMPOSITIONS
AND METHODS



Group Art Unit: N/A

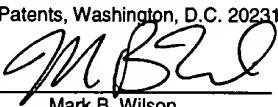
Examiner: N/A

Atty. Dkt. No.: UTSD:602/WIM

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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
December 2, 1999	
Date	Mark B. Wilson

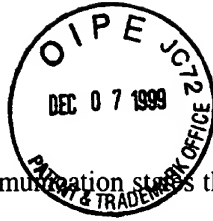
RESPONSE TO COMMUNICATION MAILED OCTOBER 6, 1999

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This paper is submitted in response to the Communication mailed October 6, 1999, for which the two-month extendable date for response is December 6, 1999.

No fee is believed due with this response, however, if any fees are deemed required please consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Arnold, White & Durkee Deposit Account No. 01-2508/UTSD:602/WIM.



REMARKS

The Communication states that a computer readable copy of the sequence listing was not provided. In response, Applicants state that it is believed that a diskette containing a computer readable copy of the sequence listing was provided with the specification as filed. As evidence of this, Applicants have provided a photocopy of the postcard filed with the case and stamped as received by the Patent and Trademark Office (**Exhibit A**). The contents itemized on the postcard include a diskette.

However, for the convenience of the Examiner and in order to furnish a complete response to the instant Communication, Applicants hereby provide a supplemental copy of the sequence listing in a computer readable format and a paper copy of the same.

CONCLUSION

It is believed that this paper is fully responsive to the Communication. Therefore, consideration of the case on the merits is respectfully requested.

Respectfully submitted,

Mark B. Wilson
Reg. No. 37,259
Attorney for Applicants

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(512) 418-3000

Date: December 2, 1999

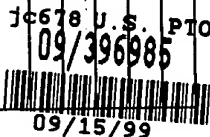


Please indicate receipt of the below-identified paper:

<input checked="" type="checkbox"/> New Application For:	Patent Application	Priority Date: 09-15-98
<input type="checkbox"/> Foreign priority already claimed		
<input type="checkbox"/> Continuation	<input type="checkbox"/> CIP	<input type="checkbox"/> Divisional
<input checked="" type="checkbox"/> Specification: 134 Pages and a 50pg. Seq. list	<input checked="" type="checkbox"/> Drawings: 1-17B on 27 Sheets	<input type="checkbox"/> CPA
<input type="checkbox"/> Response to Office Action Dated:		<input type="checkbox"/> Final Rejection
<input checked="" type="checkbox"/> Other: Transmittal letter, diskette, hard copy of sequence listing and Statement of Conformity		
<input type="checkbox"/> Assignment Enclosed	<input type="checkbox"/> Cert. of Timely Mailing	<input checked="" type="checkbox"/> Exp. Mail: EL259185441US

IDENTIFICATION OF APPLICATION

Serial No.:	
Title: LPS-RESPONSE GENE COMPOSITIONS AND METHODS	
Applicant: Bruce A. Beutler and Alexander Poltorak	Attorney: WIM/BRZ
Client: UT Southwestern Medical Center at Dallas	AWD File No.: UTSD:602---
Mailed: September 15, 1999	Filed: Due Date:





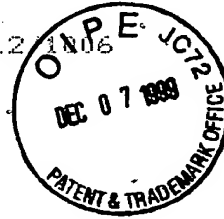
UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/396,985	09/15/99	BEUTLER	B UTSD: 602

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HOUSTON TX 77057

02121NO6



NOT ASSIGNED

1543

DATE MAILED: 10/06/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file a sequence listing in compliance with 37 CFR 1.821 - 1.825 to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

Everett Williams
Customer Service Center
Initial Patent Examination Division (703) 308-1202

Sequence listing
12-6-99

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